



United States Department of Agriculture
Forest Service

Bradford Forest Restoration Project

Draft Decision Notice and Finding of No Significant Impact

**Bradford Ranger District, Allegheny National Forest
Warren, McKean, and Forest Counties, Pennsylvania**

September 2017

For More Information Contact:

Rich Hatfield, Bradford District Ranger
Allegheny National Forest
29 Forest Service Drive
Bradford, PA 16701
814-363-6000

DR 4300.003 USDA Equal Opportunity Public Notification Policy (June 2, 2015)

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).

Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer and lender.

Table of Contents

Introduction..... 3

 Purpose and Need for the Project 3

 Location of the Project 4

Decision 4

 The Selected Alternative 4

 Measures Designed to Avoid, Minimize, or Mitigate Adverse Effects..... 5

Reasons for My Decision..... 5

Other Alternatives Considered..... 6

Public Involvement 6

Findings Required by Other Laws and Regulations 7

Administrative Review and Objection Opportunities 9

Final Decision 9

Finding of No Significant Impact 10

 Context 10

 Intensity 10

Appendix A. Comments received during the designated 30-day comment period 14

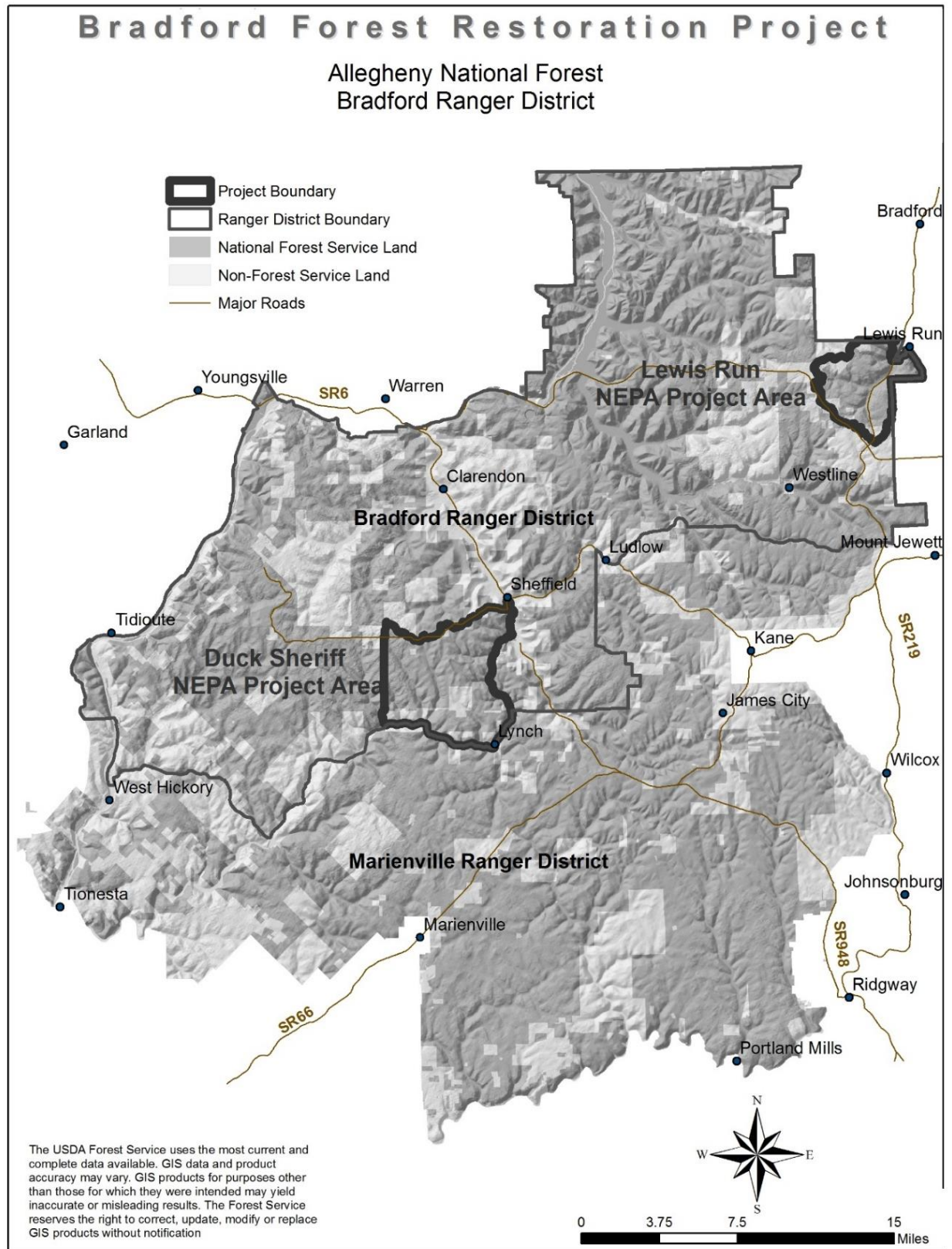


Figure 1. Location of the Bradford Forest Restoration Project

Introduction

In May of 2017, an interdisciplinary team at the Bradford Ranger District of the Allegheny National Forest completed the Bradford Forest Restoration Project Environmental Assessment in compliance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations. The environmental assessment was made available for review and public comment for 30 days. The team conducted the environmental assessment according to Council on Environmental Quality regulations¹ which state: “Briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.”

This draft decision notice describes my decision to proceed with the Bradford Forest Restoration Project, background information about the project, which alternative I selected, and the rationale supporting my decision. This document also includes my “Finding of No Significant Impact” (FONSI) to the human environment, which means no further environmental analysis is necessary in order to proceed with this project.

The Bradford Forest Restoration Project Environmental Assessment (EA) and supporting resource reports are incorporated by reference in this draft decision document. The environmental assessment and this draft decision are available for download from the Allegheny National Forest website at <http://www.fs.usda.gov/projects/allegheny/landmanagement/projects> under the Bradford Forest Restoration Project listing.

Purpose and Need for the Project

The purpose of the Bradford Forest Restoration Project is to promote a healthy and resilient forest ecosystem in hardwood stands impacted by forest health stressors and exotic insects and diseases. Specifically, the project is needed for the following reasons:

- Beech bark disease², an introduced insect-fungus complex, has resulted in substantial American beech mortality across the Allegheny National Forest and in the project area. A by-product of this mortality has been the establishment of dense thickets of shade-tolerant beech root suckers that prevent the establishment of other tree seedlings and create monoculture understory conditions that lack the benefits of natural forest biodiversity.
- According to 2014–2015 forest health monitoring results, the proportion of standing dead cherry trees on the Allegheny has more than doubled since the 1998–2001 measurement cycle. In addition, the crown condition of living black cherry is worsening, resulting in smaller live-crown ratio and reduced crown density. Some of the most severe and rapid occurrences of mortality and crown deterioration of black cherry are located in the project area and the lack of consistent seed production is affecting the regeneration potential of the existing forest composition.
- Emerald ash borer³ and sugar maple decline have also impacted the project area, and the spread of hemlock woolly adelgid⁴ into the project area is imminent. Seed tree availability is decreasing rapidly within the project area and natural regeneration opportunities are being lost as stand health continues to decline. In some areas, there are few to no seed trees within hardwood stands.

¹ (40 CFR 1508.9(a))

² For information on beech bark disease go to <http://na.fs.fed.us/fhp/bbd/>

³ For information on emerald ash borer go to <http://na.fs.fed.us/fhp/eab/>

⁴ For information on hemlock woolly adelgid go to <http://na.fs.fed.us/fhp/hwa/>

- Interference from nonnative invasive plant species is threatening native plant communities and forest health.
- The most common element lacking in streams on the Allegheny are quantities of large wood and in-stream cover, as well as pool quantity and quality. These features are important for aquatic organism survival and propagation.
- There are roads within the project area that are no longer needed for access and can be restored to natural conditions. There are also areas that would require access to achieve forest health management.

Location of the Project

The 28,356 acre project area is on the Bradford Ranger District within the Allegheny National Forest (Figure 1). The project is located in warrants 2735, 2877, 4634, 4702, 4712, 4713, 4732, 4738, and 4739 of Sheffield Township and warrants 3195, 3198, 3211, 3234, 3235, 3238, 3239, and 3240 of Cherry Grove Township, Warren County; warrants 2265, 2275, 2276, 2277, 3435, 3436, 3437, and 3903 of Lafayette Township, warrant 2278 of Lewis Run Borough, McKean County; and warrants 2735, 2991, 3193, and 3198 of Howe Township, Forest County, Pennsylvania.

National Forest System lands within the project area include the following Management Areas: 2.2 – Late Structural Linkages, 5,569 acres; 3.0 – Even-aged Management, 15,663 acres, and; 6.1 – Late Structural Habitat, 1,638 acres. A total of 5,486 acres of non-national forest lands are also within the project area.

Decision

After careful review of the Bradford Forest Restoration Project EA, supporting documents, and public comments, I have decided to implement alternative 2, the proposed action, as described on pages 4-7 of the EA, and further described in maps A1-A6 on pages 52-57 of the EA. My decision and findings are based on the Bradford Forest Restoration Project EA, including the biological assessment, biological evaluation and other resource analyses prepared to support the EA (available in the project record), and the 2007 Allegheny National Forest Land and Resource Management Plan (Forest Plan).

The Selected Alternative

My decision includes timber harvest and reforestation activities on approximately 5,094 acres using even-aged silvicultural systems⁵, to be implemented in two phases. The timber harvest and reforestation practices used to implement these systems are briefly described in the Bradford Forest Restoration EA (appendix B, pages 58-60) and described in detail in the Forest Plan (pages A-18 to A-29). The number of acres prescribed for specific timber harvest and reforestation activities are provided in table 1 of the EA.

Even-aged management will create temporary openings⁶ that exceed 40 acres in size throughout the project area in stands that have been hardest hit by beech bark disease and other forest health stressors

⁵ The process by which we establish, grow, and manage and/or regenerate a forest stand for a specific purpose. This process includes all practices necessary for replacement and development of the forest stand.

⁶ An opening created by silvicultural treatment or natural event that is intended and allowed to be re-occupied by young trees. Temporary openings are dominated by tree seedlings and saplings less than 15-feet-tall and, with time, will grow into a wooded stand (USDA Forest Service 2007b).

(EA page 5; EA appendix D, Table D-1; and EA appendix E, figures E-1–E-4). Forest Plan standards and guidelines (page 68) will be applied to these areas.

Non-native invasive plant treatments will be applied on up to 330 acres through a combination of manual, mechanical, and herbicide treatments (EA page 5). Herbicide treatment includes the use of formulations of glyphosate, sulfometuron methyl, or both according to Forest Plan standards and guidelines (pages 54-59). A combination of treatments may occur several times during a growing season, and over a period of several years.

Non-commercial methods will be used to fell live, dead, or dying trees into streams within the stream buffers of stands proposed for vegetation treatments. A maximum of 35 trees per mile will be directionally cut into streams within these stands to introduce structure into the streams (EA page 5).

Roads will be reconstructed on 7.5 miles of existing road corridors to provide the minimum access necessary to facilitate stands proposed for vegetation management over the life of the project. Just over 22 miles of roads will be added to the Forest transportation system; 21.1 miles are existing non-system roads (not municipal or part of the Forest Service road system) and 1.1 mile is new road construction. Approximately 6 miles of non-forest system road will be decommissioned. Transportation management activities are detailed in the Bradford Forest Restoration EA on page 6, and A5-A6, pages 56-57.

Measures Designed to Avoid, Minimize, or Mitigate Adverse Effects

My decision includes a variety of measures intended to avoid, minimize, or mitigate known or potential adverse effects to various resources. Forest Plan standards and guidelines are sideboards that impose limitations on activities or uses for reasons of environmental protection, public safety, and risk reduction, or to achieve a desired condition or objective. Forest Plan standards and guidelines are incorporated into the Bradford Forest Restoration Project. Additional project specific design measures and required monitoring applied to the Bradford Forest Restoration Project are provided in the EA appendix C, pages 61-63.

Reasons for My Decision

My decision is based on a thorough review of the environmental assessment and its supporting documentation. In making my decision, I considered the purpose and need, consistency with the Forest Plan and the 2007 ROD, and all public comments and resource issues identified during the planning process.

Based on my review of the selected alternative, the affected environment, and guidance contained in the Forest Plan, I have made the following determinations:

- The selected alternative contributes to achieving goals and specific objectives for management areas as described in the Forest Plan;
- The selected alternative is consistent with strategies described in the Forest Plan which are relevant and specific to the affected resources and resource concerns;
- The selected alternative responds to Forest Plan goals and objectives to provide a diversity of vegetation and habitat and improve the health and sustainability of Allegheny National Forest ecosystems;

- The selected alternative is consistent with the rationale for choice of vegetation management practices (described in terms of appropriateness and optimality) as defined in appendix A of the Forest Plan;
- The selected alternative incorporates all relevant design criteria that are consistent with standards and guidelines from the Forest Plan, and;
- The selected alternative is typical of other multiple-use management projects on the Bradford Ranger District, based on the size of the project area, size of individual treatment areas, scope of activities, duration of implementation, and prescribed methods.

My decision is supported by the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. In making my decision, I recognize that less than complete knowledge exists about many of the relationships and interactions of forest systems and environments. The ecology, inventory and management of a large forest area is complex, and our knowledge and public perceptions are continually developing. Perfect knowledge and absolute guarantees are not attainable, but I am confident we used the best available science at this time to analyze potential effects of the proposed activities and respond to the purpose and need for action and public concerns.

I appreciate the time and effort taken by members of the public to share their thoughts and concerns regarding this action, and I recognize that my decision may not satisfy all concerns expressed in the comments. These comments often reflect disagreement with the goals, objectives and management direction contained in the Forest Plan. Consistent with the Record of Decision for the Forest Plan (pages ROD-15-16, 22-26), I believe the selected alternative balances sustainable resource use and ecological sustainability in a manner intended to satisfy competing public demands.

Other Alternatives Considered

The interdisciplinary team considered three alternatives that were not advanced for full analysis. One alternative would use only uneven-aged management in the project area. A second alternative would limit management along the North Country National Scenic Trail. A third alternative considered limiting temporary openings to less than 40 acres within the project area. These alternatives were described in the EA (pages 7-9) as alternatives considered, but not fully analyzed, with a rationale describing why each alternative was not advanced for full analysis.

Because none of these alternatives would achieve the purpose and need for the project, only the proposed action and a no action alternative were fully analyzed. I have determined this range of alternatives is adequate and follows Forest Service environmental analysis regulations at 36 CFR 220.7 for consideration of alternatives.

The no-action alternative would not implement any of the activities described in the proposed action. This alternative helped us compare environmental conditions and trends that exist in the project area now with how they would change if we implemented the proposed action.

I chose the proposed action because the no action alternative does not meet the purpose and need for this project and does not address the goals, standards and guidelines in the Forest Plan (EA pages 1-3).

Public Involvement

To inform the public, interest groups, and agencies of this project, we used different methods of communication. We listed the Bradford Forest Restoration Project in the Allegheny National Forest's

Quarterly Schedule of Proposed Actions, sent a letter of our proposal to interested parties, and posted information on the Allegheny National Forest website. In accordance with section 106 of the National Historic Preservation Act, we also consulted with the State Historic Preservation Office and the federally recognized Tribes that have historic ties to lands managed by the Allegheny National Forest.

The Council on Environmental Quality directs agencies to concentrate on analyzing issues that are truly significant to the action in question, rather than amassing needless detail. After considering all public comments, I determined that none of the comments described likely effects that would require development of alternative ways to meet the purpose and need. Public concerns raised were either not relevant or not site-specific to the project, were used to evaluate the relative merits or effects of the alternatives, or were addressed through modification or design of the proposed project activities. Please refer to the project record for a complete description of the comments and how we addressed them.

On June 16, 2017, we published a notice and comment opportunity in *The Bradford Era* and notified interested individuals, organizations, and agencies that the Bradford Forest Restoration Project EA was available for a 30-day comment period. We received comments from one individual. We considered whether we had adequately addressed the topic of each of the comments and prepared a response to comments, which is available in the project record and is posted on the project website. Based on the analysis of comments, I concluded there were no new issues raised that might add a new alternative, or warrant additional analysis in the environmental assessment.

Findings Required by Other Laws and Regulations

I have determined that the activities proposed in this decision are consistent with the Forest Plan, as required by the National Forest Management Act of 1976. The project was designed in conformance with Forest Plan direction and incorporates appropriate Forest Plan standards and guidelines, and includes project specific design measures that prevent undesirable effects from proposed management activities. This decision also complies with the procedural requirements of the National Environmental Policy Act of 1969, as amended.

Forest Plan standards and guidelines, USDA National Best management practices for water quality management on National Forest System lands, and project design measures (EA appendix C, pages 61-63), applied to project activities, comply with the Clean Water Act of 1972, as amended. I have also determined that my decision complies with Executive Orders 11988 and 11990, dealing with floodplains and wetlands.

To comply with the National Historic Preservation Act (NHPA) and the Archaeological Resources Protection Act, eligible and unevaluated cultural resources for listing on the National Register of Historic Places will be protected by following the compliance process mandated by Section 106 of the NHPA and recommendations outlined in the cultural resource reports. The regulations governing Section 106 review are contained in 36 CFR Part 800, which describes the compliance process. All eligible and unevaluated sites will be protected by avoidance or other site-specific mitigations identified by the Forest Heritage Program Manager or District Archaeologist.

Response to the public scoping request did not identify any adversely impacted local minority or low-income populations. My decision is not expected to adversely impact minority or low-income populations and is compliant with Executive Order 12898 for environmental justice.

To comply with the Endangered Species Act of 1973, as amended, and Forest Service Manual 2670 direction for Regional Forester Sensitive Species (RFSS), a Biological Evaluation/Biological Assessment

for Birds, Mammals, Amphibians, Reptiles, Fish, and Invertebrates was completed and is summarized in the EA (pages 23-25). Consultation with the US Fish and Wildlife Service will be completed prior to a final decision.

The RFSS list is currently being updated, and the Allegheny National Forest has proposed to add 12 new species to the list while removing 23 species:

- The following plant species are candidates for addition: Red baneberry; Twining Screwstem, Screwstem; Lanceleaf grapefern, Triangle moonwort; Bluntlobe grapefern; Little grapefern, Least moonwort; Large Toothwort; Fairywand; Showy orchid; Dwarf/Lesser rattlesnake-plantain; Autumn coralroot; Crane fly orchid; Strict blue-eyed grass.
- The following species are candidates for removal: Birds: Yellow-bellied Flycatcher; Bald Eagle. Fish: Bluebreast Darter; Tippecanoe Darter; Channel Darter; Gilt Darter; Longhead Darter. Invertebrates – Insects: Black-tipped Darner; Green-striped Darner; Comet Darner; Ocellated Darner; American Emerald; Northern Bluet; Boreal Bluet; Midland Clubtail; Uhler's Sandragon; Amber-winged Spreadwing; Crimson-ringed Whiteface; Riffle Snaketail; Brush-tipped Emerald; White-faced Meadowhawk; Band-winged Meadowhawk. In addition, the Northern Long-eared Bat is also included in the proposed list for removal. In practice, however, that change has already been made since the species was federally listed and is being addressed in the biological assessment instead of the biological evaluation.

When the RFSS list will be updated, and what species will be added or removed, is uncertain. The Regional Forester could decide to make all of the proposed changes listed above, or none. Similarly, the Regional Forester could choose to add other species to the RFSS list, or remove species that have not been proposed for removal. The timing of any changes is also unknown. While a decision on RFSS changes could be made as early as September, it could also occur later. As a result, changes to the RFSS list could occur during the objection filing period, during the objection review period, or after a final decision notice has been signed.

Given this uncertainty, we have decided to take the following approach regarding RFSS species:

- If the RFSS list is changed before the final decision notice is signed: If the determinations for newly added species are “no impact,” “beneficial impact (no adverse impact),” or “may adversely impact individuals, but not likely to result in a loss of viability in the Planning Area, nor cause a trend toward federal listing,” then we’ll develop an errata to the EA, update or supplement the biological evaluation, and explain how we have complied with Forest Service Manual 2670 in the final decision notice. If the determination for any species is “likely to result in a loss of viability in the Planning Area, or in a trend toward federal listing,” then we will either mitigate effects to reduce the determination or release an updated EA and begin a new objection filing period.
- If the list is changed after the final decision notice is signed: The final decision notice will reflect the RFSS list applicable at that time. Any changes to the RFSS list approved in the future will be considered in a supplemental information report, which will be prepared to help determine whether the decision needs to be revisited.

It is important to note that none of the species proposed for addition were identified as issues or concerns for NEPA analysis in any public comment, interdisciplinary team report, or interdisciplinary team discussion. The discussion of these species for NEPA purposes would typically be limited to incorporating the determination reached in the biological evaluation into the EA. As a result, the approach outlined above is reasonable, responsive to, and consistent with our obligations under NEPA and Forest Service Manual 2670.

Administrative Review and Objection Opportunities

This decision is subject to the objection process pursuant to 36 CFR 218, subparts A and B. These regulations are available at: <http://www.gpo.gov/fdsys/pkg/FR-2013-03-27/pdf/2013-06857.pdf>. Objections will only be accepted from those who submitted timely and specific written comments about this project during scoping or the 30 day public comment period in accordance with 36 CFR 218.5(a). Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless based on new information arising after the designated comment opportunities.

A legal notice regarding the availability of this draft decision notice will be published in the newspaper of record, which is *The Bradford Era* for this project. A written objection, including any associated attachments must be submitted within 45 calendar days after publication of the legal notice in *The Bradford Era*. However, when the 45-day filing period would end on a Saturday, Sunday, or federal holiday, the filing time is extended to the end of the next federal working day. The date of the publication of this notice is the only means for calculating the date by which objections must be received; do not rely upon any other source for this information.

The notice of objection must be sent to: Forest Supervisor Sherry A. Tune, Region 9, Attn: Administrative Review Staff, USDA Forest Service, 626 E. Wisconsin Avenue, Milwaukee, WI 53202. The notice of objection may be faxed to: 414-944-3963, Attn: Administrative Review Staff, Region 9, USDA Forest Service, Eastern Regional Office. Objections may be submitted by email to: objections-eastern-region@fs.fed.us. Acceptable formats for emailed objections include plain text (.txt), rich text format (.rtf), portable document format (.pdf), Word (.doc or .docx), or any other format supported by Microsoft Office applications. Hand-delivered objections may be submitted at the above address between 8:00 a.m. and 4:30 p.m., Monday through Friday, except on federal holidays.

The objection must contain the minimum content requirements specified in §218.8(d) and incorporation of documents by reference is permitted only as provided in §218.8(b). It is the objector's responsibility to ensure timely filing of a written objection with the reviewing officer pursuant to §218.9. All objections are available for public inspection during and after the objection process.

Final Decision

If no objections are filed within the 45-day time period for this draft decision, then a final decision may occur on, but not before, the 5th business day following the end of the objection filing period. If an objection is filed, a final decision will not be signed until all concerns and instructions (identified by the Reviewing Officer) have been addressed (36 CFR 218.12[b]).

For additional information concerning this decision, please refer to the Allegheny National Forest web site for the project -<https://www.fs.usda.gov/project/?project=47650>. You may also contact Ed Baker at the Bradford Ranger Station, 29 Forest Service Drive, Bradford, PA 16701, or by phone ((814) 363-6012) or e-mail (ebaker@fs.fed.us).

Deciding Officer:

Rich Hatfield

Rich Hatfield
Bradford District Ranger

September 15, 2017

Date

Finding of No Significant Impact

I have reviewed the Council on Environmental Quality Regulations for significance (40 CFR 1508.27) and have determined that this decision is not a major Federal action that would significantly affect the quality of the human environment, either individually or cumulatively. Preparation of an environmental impact statement pursuant to Section 102 (2)(c) of the National Environmental Policy Act of 1969 is not required. This determination is based on the following factors as outlined in 40 CFR 1508.27.

Context

This project is limited in scope and duration. Activities associated with my decision will be confined to selected treatment areas within the Bradford Ranger District. Treatments will be limited to those actions disclosed in this decision, the Bradford Forest Restoration Project EA, and their respective appendices. Further, project activities would achieve Forest Plan goals and meet specific objectives for hardwood stands impacted by insects and diseases, structural and age class diversity, non-native invasive plant reduction and control, health of riparian and stream habitat, and transportation management (EA pages 2-3).

This action is consistent with Forest Plan standards and guidelines. Short-term negative effects are addressed through implementation of project design measures developed specifically for this project. The project's design measures minimize and avoid negative impacts to the extent that such impacts are almost undetectable and immeasurable, even at the local level (see EA appendix C, pages 61-63 for design measures, and EA pages 10-46 for effects to resources). Effects are local in nature and are not likely to significantly affect regional or national resources.

Intensity

Intensity refers to the severity, extent, or quantity of the expected project impacts. I have thoroughly considered any adverse and beneficial effects to each resource area as per 40 CFR 1508.27. I have determined that the interdisciplinary team considered the effects of this project appropriately and thoroughly with an analysis that is responsive to concerns and issues raised by the public. They took a hard look at the environmental effects (both beneficial and adverse) using relevant scientific information and their knowledge of site-specific conditions gained from field visits. Benefits of this project were not used to offset adverse impacts, and adverse impacts of this project are not significant even when separated from benefits (EA pages 10-46). My finding of no significant impact is based on the intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

1) Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.

The EA and its appendices, resource reports, and project record include detailed analyses of the effects of the alternatives to vegetation and forest health, wildlife and sensitive plants, non-native invasive plants, soil and water resources, air quality, forest settings and recreation opportunities, heritage resources, and economics. These analyses contribute to my understanding of the effects of the alternatives and confirm that there will be no significant effects to those resources. The analyses documented in the EA (pages 10-46) state that some direct and indirect effects are expected in the context of the analysis area. The interdisciplinary team has applied design measures to ensure that direct, indirect, and cumulative effects to these resources will not be significant. I conclude that the specific direct, indirect, and cumulative effects of the selected alternative, alternative 2, are not significant and this action does not rely on beneficial effects to override any adverse environmental effects.

2) The degree to which the proposed action affects public health or safety.

It is my determination that the selected activities will have no significant effects on public health and safety. Insecticide application will follow Forest plan standards and guidelines and be applied using label regulations and restrictions. The proposed action would avoid adverse impacts to public health and safety through implementation of Forest Plan standards and guidelines, Pennsylvania Best Management Practices, project design features, timber sale contract requirements, Office of Safety and Health Administration requirements, and standard operating safety procedures.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The Allegheny National Forest heritage program determined that no direct, indirect, or cumulative effects are expected to occur with implementation of Forest Plan standards and guidelines and design measures (EA page 45).

Approximately 15.7 acres of prime farmland and farmland of statewide importance would be converted to non-agricultural use due to road construction. This is less than 1 percent of prime farmland within the project area (EA pages 37-38). Because this is such a small proportion of farmland on the Allegheny National Forest, and farm use is not a designated activity for any prime farmland within the Allegheny National Forest, this is not a significant effect.

No long-term measurable negative effects to riparian areas or wetlands are expected with this decision because we will avoid highly sensitive areas and project design measures and best management practices will be applied to allow activities to proceed without greatly increasing the risk of unwanted effects to soil, ground water, and surface water (EA pages 27-33).

The project area is immediately adjacent to the Minister Valley Wilderness Study Area. No project activities are proposed within the wilderness study area boundary, so no direct affect to physical and biological environment would occur within that boundary. Indirect effects from logging and timber hauling may be detectable by hikers within Minister Valley while it is occurring. When vegetation management activities are concluded, noise and activity would return to previous levels (EA page 39).

Stands proposed for treatment intersect approximately 7,700 feet of the North Country National Scenic Trail within management area 3.0. Generally, trail sections within management area 3.0 do not offer a remote recreation experience, nor are they intended to. Because Forest Service timber harvest and private oil and gas development has occurred and will continue to occur within the project area and along the trail, a remote recreation experience is not currently available and would not be enhanced or maintained by project activities. Some temporary openings would exceed 40 acres in size and 300 feet along the North Country National Scenic Trail, but visual effects would be reduced by Forest Plan standards and guidelines and project design measures (EA pages 39-41).

No ecologically critical areas are within or adjacent to the project area.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

I have concluded the effects of the selected alternative on the quality of the human environment are not highly controversial. Proposed treatments are based on well-established methods applied throughout the region on private and public forest lands. The rationale for choice of vegetation management practices to be applied is well-described in the Forest Plan. The project file includes relevant literature citations, references to science, and monitoring results that were used in the project analysis to support this decision

as well as consideration of other scientific information as provided from other scientists, organizations and agencies.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The effects of the various elements of the proposed action have been studied (from past projects) for at least a decade. Monitoring information concerning effects and mitigation efficacy was a key part of the analysis for this proposal. The interdisciplinary team considered the best available scientific information as well as opposing viewpoints. The conclusions of these local resource experts are described in the EA effects discussions. Much is known regarding the outcomes when using even-aged management on the Allegheny National Forest. It is my conclusion that there are no unique or unusual characteristics of the area, which have not been previously encountered, which will constitute an unknown risk to the human environment.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action does not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration. The size of the project area, size of individual treatment areas, scope of activities, duration of implementation, and prescribed methods are typical of other multiple-use management projects on the Bradford Ranger District. All management activities are consistent with Forest Plan direction for affected management areas and resources, and are intended to directly address and achieve Forest Plan objectives.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

No cumulatively significant impact on the environment is anticipated based on environmental analysis. The proposed action is related to other actions with individually insignificant effects in the context of past, present and reasonably foreseeable actions on both federal and private land within the project area. The combined effects of past, present, and reasonably foreseeable future actions were considered and are summarized in each resources cumulative effects analysis. Past actions and present actions are reflected in the description of the existing condition in resource reports. Reasonably foreseeable actions are described as those approved in previous NEPA decisions, projects that are currently in the planning process, and projected future oil and gas development of the private mineral estates (EA appendix C, pages 66-71). There are no indications of significant cumulative effects to the environment.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.

The proposed action would not adversely affect any districts, sites, highways, structures, or objects listed, eligible for listing, or unevaluated for listing in the National Register of Historic Places. Heritage resources that have been determined to be eligible for inclusion on the National Register of Historic Places will be buffered and placed in reserve areas. Design measures have been incorporated into project design to protect heritage resources (EA pages 61-63).

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

Threatened, endangered, and sensitive plant and animal species were considered in the botany and terrestrial wildlife and aquatic resource reports and summarized in the EA (pp. 15-18 and 21-25). The selected alternative will not adversely affect the viability of any threatened or endangered wildlife, fish, or plant species that may occur in the area. Based on the biological assessment prepared for the EA (project record), a "no effect" determination was reached for the small-whorled pogonia, northeastern bulrush, and the following mussel species: clubshell, northern riffleshell, rabbitsfoot, rayed-bean, sheepnose, and snuffbox. A "may affect, likely to adversely affect" determination was reached for the northern long-eared bat. There is no designated critical habitat for any federally threatened or endangered species on the Allegheny National Forest.

On January 14, 2016, the US Fish and Wildlife Service finalized the listing of the northern long-eared bat as threatened under section 4(d) of the Endangered Species Act of 1973 (ESA), as amended (81 FR 1900-1921). White-nose syndrome was deemed to be the main threat to the species. The project biological assessment has determined that activities "may affect, likely to adversely affect" the northern long-eared bat. Project activities are consistent with the U.S. Fish and Wildlife Service programmatic biological opinion on implementing the final 4(d) rule as well as activities that do not require special exemption from taking prohibitions applicable to the northern long-eared bat (USDI-FWS 2016a). Therefore, any taking that may occur incidental to project activities is not prohibited under the final 4(d) rule (50 CFR §17.40(o); USDI-FWS 2016b) and the U.S. Fish and Wildlife Service programmatic biological opinion satisfies the Forest Service's responsibilities under the Endangered Species Act section 7(a)(2) relative to the northern long-eared bat for this project.

Potential effects to threatened or endangered species and their habitat are anticipated to be non-significant with implementation of Forest Plan standards and guidelines, and project design measures and mitigation (EA page 16, page 23, and pages 61-63).

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The selected alternative is consistent with the Forest Plan and applicable laws, regulations, and policies (see individual resource reports). The Forest Plan was developed in accordance with the National Forest Management Act (NFMA - 16 U.S.C.1604, et seq.) and the 1982 planning regulations. The National Forest Management Act gives the Forest Service statutory responsibility to provide the ecological conditions to both maintain the diversity of plant and animal communities and support the persistence of most native species in the plan area.

Appendix A. Comments received during the designated 30-day comment period

The only comments received during the EA comment period were submitted by Dick Artley of Grangeville, Idaho. Mr. Artley frequently comments on projects proposed by the Allegheny National Forest and other forests across the nation. Similar comments, for example, were submitted on at least four Allegheny National Forest projects previously completed (Greater Stickney, Izenbrown, Millsteck, Salmon East, and Salmon West), four projects underway (Chaffee, De Young Supplemental EA, Porkey Heights Supplemental EA, and Pine Bear Supplemental EA), and during the scoping period for this project (Bradford Forest Restoration).

The comments received from Mr. Artley typically, but do not exclusively, focus on timber harvesting, road construction, glyphosate application, public opinion, interpretations regarding compliance with various laws, and general opinions or position statements. Along with the comments submitted, Mr. Artley frequently provides a long list of references to newspaper articles, editorials, magazines, and other publications. These references are identified by Mr. Artley as “opposing views.”

All comments and requests for changes were reviewed by the responsible official and team members to determine whether further analysis or alternative development is needed. I determined that it is not, and in doing so developed the following summary of our review.

General comments: Many comments represent opinions, rhetorical questions, general position statements, or simply list references without providing a substantive site-specific comment about this project. This includes, but is not limited to, all or some of comments 1, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16, 20, 22, 23, 24, 28, and the opposing views attachments. These comments are noted.

Restoration: Several comments pertain to use of the word “restoration,” including some or all of the comments numbered 2, 4, and 6, as well as the request for change listed under issue 1. The purpose, need, and intended outcomes are clearly explained in the EA.

Documentation: Some comments pertain to the availability of information, including some or all of comments 22, 23, 24, and the request for change listed under issue 10. Documentation is available on the project website and upon request.

Alternatives: A number of comments pertain to alternatives, including some or all of comments 10, 12, and 15, as well as the requests for change listed under issues 2, 4, and 7. In addition to considering the proposed action and no action alternative, we also considered alternatives focused on uneven-aged management, limited management along the North Country National Scenic Trail, and an alternative that limited opening sizes to 40 acres or less.

Other requests for alternative development were submitted by Mr. Artley, including requests for a no new roads alternative (identified by Mr. Artley as issue 2), an alternative that eliminates all prescriptions that would create openings (identified by Mr. Artley as issue 4), and a general request to consider an additional action alternative in detail (see the request for change under issue 7). Most of these requests are addressed in the EA through consideration of the no action alternative and the discussion of alternatives considered but eliminated from detailed study. The exception is the request for a no new roads alternative, which is not specifically discussed in the EA. We decided against expanding the EA to include the detailed study of a no new roads alternative for the following reasons:

- The no new roads alternative request is general in nature, and does not identify any site-specific concerns, does not identify any known resources or species in the area that may be impacted, and does not propose any change beyond adopting a portion of the no action alternative.
- The actual amount of new road corridor construction proposed is small (1.1 miles), and the effects are discussed in the EA and supporting documents. An alternative that eliminates road construction would simply replace the portion of the proposed action dependent on 1.1 miles of new road with the corresponding portion of the no action analysis. As a result, the requested alternative is within the range of effects analyzed and a detailed analysis would be substantially similar to the alternatives already considered.
- The proposed action was designed to reduce or eliminate resource concerns (e.g., no new road construction will occur within 300 feet of stream).

Irreversible Impacts, Appropriateness, and National Forest Management Act Compliance: The sections of NFMA referenced under issue 5 pertain to forest planning regulations. In particular, section 6(g)(3) states that “the Secretary shall . . . promulgate regulations . . . that set out the process for the development and revision of the land management plans, and the guidelines and standards prescribed by this subsection.” The required regulations are known as the planning rule, and the Forest Plan is consistent with the 1982 planning rule. As a result, the requirements of NFMA sections 6(g)(3)(E)(i), 6(g)(3)(E)(iii), and 6(g)(3)(F)(i) have been satisfied.

We recognize that different forests may discuss irreversible resource commitments, optimality, and appropriateness in different ways. As a result, it may be helpful to note that:

- The data and text requested has been provided. Soil productivity, soil stability, and effects to water resources from road construction, basal area reduction, and other activities are all discussed in the EA and supported by specialist reports.
- The Forest Plan identifies appropriate harvest methods by forest type and management area in Appendix A. Forest Plan standards and guidelines ensure that prescriptions are appropriate, and this project is fully consistent with Forest Plan direction.

Effects: Comments regarding environmental effects, including some or all of comments 3, 5, 7, and 20, do not raise new information that merits additional consideration beyond the analysis already contained in the EA and supporting documents.

Migratory Bird Treaty Act: Regarding comment 8 and the request for change listed under issue 6, case law clearly establishes that the Migratory Bird Treaty Act does not apply in this context (see, for example, litigation specific to the ANF’s Mortality II project).

Temporary Roads: Some comments pertain to temporary roads, including some or all of comments 17, 18, 19, 21, and the request for change listed under issue 9. The reference to temporary roads in Table 17 was a typographical error. No temporary roads are proposed.

Glyphosate: In his request for change under issue #3, Mr. Artley asked for a statement that “glyphosate will not be used anywhere, at any time, for any reason.” Glyphosate application is included in the proposed action, and its potential use is discussed in the EA.

Climate Change: The request for change under issue 8 pertains to “how logging this sale will affect greenhouse gases.”

Markewitz (2006) examined impacts on net carbon sequestration in forests resulting from fossil fuel carbon emissions from silvicultural practices. Results from the study suggest that a high-intensity pulpwood management scheme (25 year rotation) would result in little or no long term sequestration, while carbon storage in wood products due to accelerated growth of trees to a saw log category might exceed the incurred emissions by 3-fold (i.e., 35 Mg ha⁻¹). These calculations demonstrated a net carbon benefit to all but the most intense, shortest-rotation management systems, which are not used on the ANF.

Timber removals on the Bradford Ranger District typically range 40 to 70 percent pulpwood, and average around 60 percent on an annual basis. Since production of pulpwood and sawtimber is typically the result of management on a much longer rotation (80 to 100 years) on the ANF, carbon storage would clearly exceed incurred emissions over the life of the project.

Oliver (2011) prepared a report for the American Hardwood Export Council to assess a preliminary estimate of total carbon emissions associated with growing, harvesting and processing American hardwood kiln dried sawn lumber and then transporting from the U.S. mill to distributors yard in the European Union. The report accounts for fossil fuel uses throughout all phases of harvesting, milling and transport overseas, and determined that sequestration of carbon during the growth of the tree more than offsets the total carbon emissions resulting from harvesting, processing and transporting of American hardwoods to European distributors (overall emissions = 0.4479 kilogram (kg) of CO₂e per kg of harvested wood product, offset by 1.835 kg of CO₂e sequestered in harvested wood products).

Opposing views: Comments 25, 26, 27, and the request for change under issue 11 pertain to the opposing views attachments. The references provided are not specific to the proposed action, are not specific to conditions within the project area, and do not discuss or any precise location or specific resource that will be impacted. To the extent a detailed response is needed:

For attachment 1, see Greater Stickney, Izenbrown, Chaffee, Salmon East, Salmon West, and Millsteck. Our responses provided in those documents are incorporated by reference.

For attachment 4, see Chaffee, Greater Stickney, Salmon West, and Millsteck. Our responses provided in those documents are incorporated by reference.

For attachment 15, our response is that the environmental assessment was written by well-qualified interdisciplinary team using best available scientific information. Members of the interdisciplinary team are considered proficient in their field of study by way of academic achievement, agency training, years of professional experience, and in some cases, certification programs. Team specialists identified the methods used in their analyses and referenced the scientific sources upon which their analyses were based (refer to the References section in the environmental assessment). The appendices and project record include substantial supporting documentation that was used to support the analysis.

For attachment 21, half of the references (1, 2, 3, 5, and 10) have already been responded to in context of attachment #1 (see responses to opposing views 49, 24, 36, 54, and 73). The remaining references either contain broken URLs (4, 7, and 9) or represent opinion pieces that do not merit consideration in a scientific analysis (6 and 8).

Attachment 26 contains photographs unrelated to the proposed action here.

For the attachment identified as Glyphosate 1, the response we provided for the Chaffee project is incorporated by reference.